

REMARKS

The present Amendment amends claims 1, 2, 6 and 7, and leaves claims 3-5 unchanged. Therefore, the present application has pending claims 1-7.

In paragraph 3 of the Office Action the Examiner acknowledges Applicants' claim of priority. However, the examiner states that Applicants have not filed a certified copy of the priority document. In response Applicants have filed a Request to Retrieve Electronic Priority Application(s) on even date. Therefore, this objection is overcome and should be withdrawn.

Applicants acknowledge the Examiner's indication in paragraph 5 of the Office Action that claim 5 is allowed.

Applicants also note the subject matter in claim 5, that was not recited in the other independent claims, namely claims 1, 2, 6 and 7, that apparently contributed to claim 5 being determined to be allowed over the prior art of record. In order to expedite the prosecution of the present application and place the other independent claims in condition for allowance, the subject matter in claim 5, that was not recited in the other independent claims, has been added to each of the other independent claims.

Therefore, claims 1, 2, 6 and 7 are now in condition for allowance since they each now recite the subject matter in claim 5 that apparently contributed to claim 5 being determined to be allowed over the prior art of record. Accordingly, claims 2, 6 and 7 are now allowable over the prior art of record the same as and for the same reasons as claims 5.

Claims 1-4, 6 and 7 stand rejected under 35 USC §102(e) as being anticipated by Waldspurger (U.S. Patent No. 6,725,289). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now recited in claims 1-4, 6 and 7 are not taught or suggested by Waldspurger or any of the other references of record whether said references are taken individually or in combination with each other.

Specifically, the subject matter in claim 5, that was not recited in claims 1-4, 6 and 7, that apparently contributed to claim 5 being determined to be allowed over the prior art of record, has been added to each of claims 1-4, 6 and 7. This, this rejection has now been rendered moot. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

To explain in more detail the following is provided.

Amendments were made to the claims 1-4, 6 and 7 to more clearly describe features of the present invention recited in claim 5. Particularly, amendments were made to claims 1-4, 6 and 7 to recite that the present invention is directed to a virtualization storage for virtualizing the storage region in the external storage via an intermediate device, said virtualization storage performs verification of a plurality of paths from a first LUN to the plurality of second logical units.

According to the present invention a plurality of paths from the first LU to a second LU are connected to the same storage device when a plurality of second LU are configured by the same storage device. In the present invention, according to this configuration, it is possible to access the storage device from another path even when a failure occurs in any of the paths.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record whether said references are taken individually or in combination with each other. Particularly the above described features of the present invention now more clearly recited in the claims are not taught or suggested by Waldspurger whether taken individually or in combination with each other as suggested by the Examiner.

Waldspurger teaches a computer system which is access-controlled according to the virtual address conversion and so forth of Manager 605 on OS (Figs. 1 and 2).

However, Waldspurger fails to teach or suggest that a plurality of paths from the first LU to the second LU are connected to the same storage device when a plurality of second LU are configured by the same storage device as in the present invention as recited in the claims. In the present invention, according to this configuration, it is possible to access to the storage device from another path even when a failure occurs in any of the path. Such processing is not possible in Waldspurger.

Thus, Waldspurger fails to teach or suggest that the first controller obtains path information indicating a path from said first LUN to the second LUN via the intermediate logical device, and recognizes a memory device as a same memory device if a plurality of paths from the first LUN to a plurality of the second logical units are connected to the memory device as recited in the claims.

Therefore, Waldspurger fails to teach or suggest the features of the present invention as recited in the claims and as such does not anticipate nor

render obvious the claimed invention. Accordingly, reconsideration and withdrawal of the 35 USC §102(e) rejection of claims 1-4, 6 and 7 as being anticipated by Waldspurger is respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the reference utilized in the rejection of claims 1-4, 6 and 7.

In view of the foregoing amendments and remarks, applicants submit that claims 1-7 are in condition for allowance. Accordingly, early allowance of claims 1-7 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (1309.43490X00).

Respectfully submitted,

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